

3-1-A. Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements (1200 TN 350 3-1A)**1. AUTHORITY.** Pursuant to the Marine Protection, Research and Sanctuaries Act (MPRSA):

- a. To issue complaints; and
- b. To negotiate and sign consent agreements memorializing settlements between the Agency and respondents.

2. TO WHOM DELEGATED.

- a. The authority in 1.a. is delegated to the Director, Enforcement and Compliance Assurance Division (ECAD).
- b. The authority in 1.b. to sign consent agreements is delegated to the Director, ECAD.
- c. The authority in 1.b. to negotiate settlement agreements is delegated to the Regional Counsel and his/her designee.

3. LIMITATIONS.

- a. The delegates must consult with the Assistant Administrator for Office of Enforcement and Compliance Assurance (AA/OECA) or his/her designee before exercising any of the above authorities. In addition, the Regional Counsel or his/her designee will conduct all negotiations.

4. REDELEGATION AUTHORITY.

- a. This authority may not be redelegated without formal amendment.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 104B and 105 of MPRSA, and 40 C.F.R. Part 22.

Date: APR 15 2019
Cosmo Servidio
Regional Administrator